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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,225	04/04/2001	Julian Norley	P-1029	2459
7590	01/10/2005		EXAMINER	
Melissa A. Carr Advanced Energy Technology Inc. 12900 Snow Road Parma, OH 44130				VARGOT, MATHIEU D
		ART UNIT		PAPER NUMBER
		1732		

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

20050105

DATE MAILED:

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Commissioner for Patents

The reply filed on October 6, 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has argued that claims 7 and 10-15-- which were not rejected in the body of the most recent office action, but were inadvertently listed as claims rejected on the form 326 cover sheet-- should be allowed. However, it was and still is the examiner's position that these claims were apparently non-elected in a previous response to a restriction requirement. Hence, while the cover sheet for the last rejection does indicate that claims 1-29 were rejected, this is in error in that the product claims should not have been rejected. Applicant's assertion that the product claims should be allowed renders the response incomplete and confusing. The restriction requirement between the process and the product was never vacated and applicant is requested to clarify which invention will be further prosecuted. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Mathieu D. Vargot
Primary Examiner
Art Unit: 1732

1/6/05